IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 11TH JUNE 2007 / 21ST JYAISHTA 1929

WP(C).No. 17774 of 2007(N)

PETITIONER:

V.P.IBRAHIM, S/O. AHAMEDKUTTY,
AGED 56 YEARS, CHERIYAKATHU KIZHAKKEPPURA,
KOYILANDY TALUK, KOZHIKODE.

BY ADV. SRI.R.SUDHISH
SMT.M.MANJU

RESPONDENTS:
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1. KERALA STATE ELECTRICITY BOARD,
REPRESENTED BY ITS CHAIRMAN, VAIDHYUTHI BHAVAN,
THIRUVANANTHAPURAM.

2. THE SUB ENGINEER,
K.S.E.B., ELECTRICAL SECTION, KOYILANDY.

3. THE ASST. ENGINEER,
K.S.E.B., ELECTRICAL SECTION, KOYILANDY NORTH.

BY SC SRI. P.P. THAJUDEEN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 17774 OF 2007

Dated this the 11th day of June, 2007

JUDGMENT

Petitioner's Ice-Plant remains closed for over six months on account of non-payment of power bills and other financial problems. Petitioner is now served with notice proposing dismantling. Standing counsel for the KSEB rightly pointed out that after six months of disconnection, dismantling is mandatory. Petitioner's case is that petitioner wants to restart the unit and instalment is prayed for for clearing the arrears subject to petitioner's contest against the bills. I feel, if the petitioner wants to revive the industry, the Board should also encourage. W.P. is accordingly disposed of directing respondents 2 and 3 to restore connection to the petitioner's unit after petitioner deposits 25% of the total arrears due. Petitioner is granted six equal monthly instalments to pay the balance arrears along with regular monthly bills following the date of reconnection of supply. If 25% of the arrears is not paid by the petitioner then respondents will proceed for dismantling. Moreover, if any instalment or regular monthly bill is

not paid after payment of 25% of the arrears, respondents are free to disconnect supply. It is for the petitioner to challenge the disputed bills before the higher authority and if any reduction is granted, only such reduced amount should be recovered from the petitioner in instalments as stated above.

(C.N.RAMACHANDRAN NAIR)
Judge